



Today's Daf In Review is being sent l'zecher nishmas Habachur Yechezkel Shraga A"H ben R' Avrohom Yehuda

### Nedarim Daf Tzaddik

- There was a man who made a neder prohibiting benefit from anyone in the world if he would get married before learning Halacha (all of Shas). He then tried to learn, but could not. He would not marry so as not to trigger the neder. **R' Acha bar R' Huna** tricked him into thinking that he could marry without triggering the neder, so he went ahead and got married. In fact, the neder did take effect. **R' Acha bar Huna** immediately made him dirty so that he should need to come onto other people, and then brought him to **R' Chisda** to have the neder annulled.
  - **Rava** said, **R' Acha bar R' Huna** is so great by making sure the neder took effect before having it annulled, because he holds that just as **R' Nosson** argues with the **Rabanan** regarding hafarah and requires the neder to take effect before the husband can be meifer, so too he would require the neder to take effect before it could be annulled.
    - **R' Pappi** said, although **R' Nosson** and the **Rabanan** argue with regard to hafarah, they would agree that a neder *must* take effect before it could be annulled.
      - Maybe we can say that a Braisa is a proof to **R' Pappi**. The Braisa says, if a person makes a neder not to benefit from a particular person, and he then adds that if he has this neder annulled, he should become assur to benefit from the chochom who annulled the neder for him, the Halacha is that if he wants to have it annulled he should first annul the first neder and then the second neder. Presumably it must be done in this order, because the second neder does not take effect until the first neder is annulled. We see that the Braisa holds that a neder cannot be annulled until it has taken effect!
        - The Gemara says this Braisa is no proof, because it is unclear from the Braisa which neder is called the "first" and which is called the "second".
      - There is another Braisa that can act as a proof for **R' Pappi**. The Braisa says, if a person makes a neder not to benefit from a particular person, and he then adds that if he has this neder annulled, he should become a nazir, the Halacha is that if he wants to have it annulled he should first annul the neder and then the nezirus. We see that the Braisa holds that a neder (i.e. the nezirus) cannot be annulled until it has taken effect!
        - The Gemara says, it may be that this Braisa only follows the view of **R' Nosson**, but the **Rabanan** would argue and say that either one can be annulled first.
    - **Mareimar** told **Ravina**, your father said that **R' Pappi** said that the machlokes between **R' Nosson** and the **Rabanan** is only in regard to hafarah. However, with regard to annulment, all would agree that a neder can be annulled even if the neder did not take effect.
      - **Q:** The Gemara asks from the first Braisa that was brought as a proof above, which shows that the first neder must be annulled before the second neder. We see that the second neder cannot be annulled until it becomes effective!? **A:** It is unclear from the Braisa which neder is called the "first" and which is called the "second", and therefore there is no way to know that this is what the Braisa means.
      - **Q:** The Gemara asks from the second Braisa that was brought as a proof above, which shows that the neder must be annulled before the nezirus.

We see that the second neder cannot be annulled until it becomes effective!? **A: TEYUFTA** of this version of **R' Pappi**.

#### MISHNA

- Originally they said that there are 3 women who must be divorced and who collect their kesubah when they are divorced: the wife of a Kohen who says that she was raped by another man and therefore assur to be with her husband ever again, a woman who says that her husband is incapable of having children, and a woman who makes a neder not to have tashmish with any Yid ever again.
  - They later retracted this and said, that to prevent a woman from making these claims as a front to force a divorce and allow her to marry another man that she may desire, a woman is only believed to say that she was raped and thereby become assur to her husband who is a Kohen if she brings proof; a woman who claims her husband cannot have children may not demand and force a divorce, rather she must ask for a divorce; regarding the woman who makes that neder, the husband should be meifer the neder with regard to himself, leaving her assur to have tashmish with any other Yid.

#### GEMARA

- **Q:** After the original ruling was revised, what is the Halacha with the wife of the Kohen who claims she was raped, with regard to her eating terumah? Do we say that they required her to bring proof only to make her assur to her husband or is it even to make her assur to eat terumah? **A: R' Sheishes** said, she may eat terumah until she brings proof, because if she remains married and does not eat terumah people will say she is remaining married illegally and any children they then have would be thought of as chalalim. **Rava** said that she may not eat terumah, and we are not concerned that people will think she is married illegally, because they will assume that the reason she eats only chullin is because it is easier and more readily available for her.
  - **Rava** said, **R' Sheishes** would agree that if this woman then became widowed from the Kohen (normally, the widow of a Kohen who has children from him may continue to eat terumah), she must stop eating terumah. The reason **R' Sheishes** allowed it was to protect the children. At this point, if she would stop eating terumah, people will say she was raped as a widow and will therefore not have any doubts regarding the children.
- **R' Pappa** said that **Rava** would test his talmidim with the following question. If the wife of a Kohen is raped, does she collect her kesubah or not? Do we say that the case of rape by a Kohen's wife is like the case of willing zenus by anyone else's wife (both these women become assur to remain married to their husbands) and therefore just as a woman who was willingly mezaneh does not get her kesubah, the same is with the wife of a Kohen who was raped, or do we say that the wife of the Kohen could tell him, I am fit to remain married to a husband (rape doesn't make a woman assur to her husband) and it is only because you are a Kohen that I am assur, and therefore it is "your fault" and "your bad mazal" and therefore you must pay me my kesubah? The talmidim answered that from our Mishna we see that he must pay her kesubah. The case of our Mishna can't be referring to a woman who was willingly mezaneh, because then she wouldn't get her kesubah. It can't be referring to a woman married to a non-Kohen who was raped, because then she wouldn't become assur to remain with her husband. It must be referring to a woman who is the wife of a Kohen, and the Mishna says that although she becomes assur to him and must be divorced, she still collects her kesubah.